IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

WP(C).No. 34968 of 2003(K)

PETITIONER:

T.K. BABY SUDHINA, D/O. T. KUTTAN PILLAI
'SATHYA KULAM', BANK ROAD, ALATHUR,
PALAKKAD DISTRICT.

BY ADV. SRI.N.RAGHURAJ
SRI.A.V.RAVI
SMT.K.AMMINIKUTTY

RESPONDENTS:

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1. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), PALAKKAD.

2. ALATHUR TALUK PRIVATE SCHOOL TEACHERS
CO-OP.SOCIETY LTD.P.811, P.O. ALATHUR,
PALAKKAD DISTRICT, REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.V.V.NANDAGOPAL NAMBIAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.C.NO.34968 OF 2003

A P P E N D I X

Petitioners' Exhibits :

EXT.P1: TRUE COPY OF THE ORDER BEARING NO.8922/99/CRB/K.DIS.DT. 8.6.2000 ISSUED BY THE FIRST RESPONDENT.

EXT.P2: TRUE COPY OF THE RANK LIST FOR THE POST OF PEON, PREPARED BY THE SUB-COMMITTEE AND APPROVED BY THE MANAGING COMMITTEE OF THE 2ND RESPONDENT SOCIETY.

EXT.P3: TRUE COPY OF THE ORDER OF APPOINTMENT ISSUED BY THE PRESIDENT OF THE SECOND RESPONDENT SOCIETY DT. 15.9.2001.

EXT.P4: TRUE COPY OF THE NOTICE DT. 13.10.2003 ISSUED TO THE PETITIONER BY THE PRESIDENT OF THE 2ND RESPONDENT SOCIETY.

EXT.P5: TRUE COPY OF THE COMMUNICATION BEARING NO.287503/CRB DT. 15.7.2003 OF THE FIRST RESPONDENT.

EXT.P6: TRUE COPY OF THE COMMUNICATION BEARING NO.2875/03/CRB DT. 26.9.2003 OF THE FIRST RESPONDENT.

TGS

KURIAN JOSEPH, J.

W.P.(C) No.34968 of 2003

Dated 20th December, 2006.

J U D G M E N T

Petitioner approached this Court with certain grievances regarding the steps taken by the first respondent to terminate the petitioner from the service of the second respondent. As per Ext.P1, the first respondent himself had approved the staff pattern classifying the second respondent society as a class-V society. There is no dispute that the permissible staff pattern under Class-V provides for post of a Peon. The feeder category rules were also approved as per Ext.P1 and the appointment is made following the guidelines in Circular No.18/99 issued by the Registrar. Since the appointment is as per the approved staff pattern, no prior approval is necessary, as held by this Court in **Elampal Service Cooperative Bank Ltd. v. Government of Kerala** (2000(3) KLT 389). Hence the writ petition is disposed of directing the first respondent not to pursue the the impugned Exts.P5 and P6 notices.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 10th January, 2007.